

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 18, 2007

The City Council convened in Regular Session on Tuesday, September 18, 2007, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Bob Kneemiller, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Larry Muench, Jerry Reese, Ron Stivison, and Richard Veit. Absent: None. Councilmember Michael Weller arrived during the meeting as reported in this record. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office. File #46637

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS

The President of the Council Bob Kneemiller announced that the following Public Hearing would now be held. At the conclusion of the hearing, the Regular Session continued with the order of business.

- A. Case No. CU-27-07. (QuikTrip) The applicant is requesting approval of a conditional use permit to provide a vehicle car wash service in the C-3 Highway Business District. The applicant proposes to construct a new 3,400 square foot car wash facility adjacent to the QuikTrip convenience store/gas station at 3889 Mexico Road. (Ward 6) ***(Traffic Report Pending)***

RESOLUTIONS/AWARDS/PROCLAMATIONS

A Resolution Setting a Public Hearing Regarding Changing the Name Bangert Drive to Glazer Way [Drive] (Sponsor: Michael Klinghammer)

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Beckering

"Nay": None

Absent: Weller

Approved by the Honorable Mayor on September 21, 2007, and is known as **Resolution R07-17**

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9430 and 9431 Relative to the Annexation and Rezoning of Property Owned by New Town Gateway Commercial, LLC Located at the Entrance to New Town

Fred Drakesmith, 501 First Capitol Drive, Representing New Town Gateway Commercial, LLC, spoke in favor of Council Bills 9430 and 9431.

Councilmember Michael Weller arrived at the meeting at this time.

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Council Bill 9449 Amending the Preliminary Development Plan for the Existing Planned Development-Residential Zoning District for The Boulders at Katy Trail

Bill Rombach, 120 S. Central, Clayton, Missouri, spoke on behalf of Mills Properties in favor of Council Bill 9449.

PUBLIC COMMENT RELATIVE TO CITY ISSUES

Oktoberfest

Cheryl Thiede, 1714 N. Wisteria, Chairperson, St. Charles Oktoberfest, distributed T-shirts for the Mayor and Councilmembers; and invited everyone to attend the Oktoberfest September 28-30, 2007.

Housing Summit

Lou Cariffe, 727 Decatur, invited the Mayor and Council to attend a Housing Summit scheduled for October 10, 2007.

Crystal Creek

Jim Hoag, 121 Southern Oaks Drive, voiced concern at the lack of maintenance on Crystal Creek; and requested information on steps homeowners can take to resolve the maintenance situation. President of the Council Bob Kneemiller requested that the Public Works Department contact Mr. Hoag relative to the concerns expressed.

Frenchtown Heritage Museum

Mel Wetter, 2910 Elm Street, requested consideration from the Council to assist in funding the mortgage payment for the Frenchtown Heritage Museum in the amount of \$20,000.

BILLS FOR FINAL PASSAGE

Bill 9387 (Substitute Bill No. 1) (Failed)

An Ordinance Finding That a Certain Blighted Area as Defined in Chapter 353 of the Revised Statutes of Missouri, as Amended, the Urban Redevelopment Corporations Law, Exists in the City of St. Charles and that the Redevelopment of Such Area is Necessary and in the Public Interest; Approving a Development Plan and a Redevelopment Project for the Blighted Area; Authorizing the City Council to Enter into a Development Agreement to Facilitate and Implement the Development Plan; and Approving a Grant of Limited Tax Abatement (*Sponsor: Jerry Reese*)

A separate vote was taken on Council Bill 9387, with the following results:

Failed "Aye": Reese, Stivison, and Weller
 "Nay": Klinghammer, Kneemiller, Muench, Veit, Beckering, Ermeling, and Feldman
 Absent: None

Council Bill 9387 failed passage.

File #46638

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Bill 9401 (Held)

An Ordinance Approving the Record Plat for Springwell Village, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)
Council Bill 9401 was held by sponsor at the request of staff.

Bill 9419 *(Withdrawn)*

An Ordinance Authorizing a Contract with Integra, Inc. for Construction Services for the Third Floor Restroom Remodel at City Hall in an Amount Not to Exceed \$36,998.00
(Sponsor: Bob Kneemiller)
Council Bill 9419 was withdrawn by Sponsor Bob Kneemiller.
File #46639

Bill 9430

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by New Town Gateway Commercial, LLC (3146 New Town Boulevard) *(Sponsor: Michael Klinghammer)*

Brad Goss, Attorney Representing Whittaker Development, withdrew the remonstrance previously filed against the annexation. A separate vote was taken on Council Bill 9430, with the following results:

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, and Klinghammer

 “Nay”: None

 Absent: None

Approved by the Honorable Mayor on September 21, 2007, and is known as **Ordinance 07-234**

Bill 9431

An Ordinance Rezoning to City Zoning District PD-MU (Planned Development-Mixed Used District) From City Zoning District PD-I (Planned Development – Industrial District) and County Zoning District I2 (Heavy Industrial) a 37.90 Acre Parcel of Land Located at 3100 New Town Boulevard; and Approving an Amended Development Agreement (*Sponsor: Michael Klinghammer*)

Brad Goss, Attorney Representing Whittaker Development, withdrew the remonstrance previously filed against the rezoning. A separate vote was taken on Council Bill 9430, with the following results:

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, and Klinghammer

 “Nay”: None

 Absent: None

Approved by the Honorable Mayor on September 21, 2007, and is known as **Ordinance 07-235**

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Bill 9438

An Ordinance Authorizing a Contract with Gerstner Electric, Inc. for the Zumbahl Road – Droste Road/Penbrooke Lane Intersection Improvements Project in an Amount Not to Exceed \$162,560.00 (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

“Nay”: None

Absent: None

Approved by the Honorable Mayor on September 26, 2007, and is known as **Ordinance 07-236**

Bill 9439

An Ordinance Authorizing an Intergovernmental Cooperation Agreement Between the City of St. Charles and the County of St. Charles (County Pet Adoption Center) for the Cremation Services of Animals for the City’s Animal Control Division in an Amount Not to Exceed \$4,777.92 (*Sponsor: Bob Kneemiller*)

Passed “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

“Nay”: None

Absent: None

Approved by the Honorable Mayor on September 28, 2007, and is known as **Ordinance 07-243**

Bill 9441

An Ordinance Authorizing an Easement Encroachment License Agreement with Frank and Leisa Carpenter for the Construction and Maintenance of a Fence and Sidewalk on a 20 Foot Permanent Easement Located at or near 1741 Chandler Way (*Sponsor: Laurie Feldman*)

Passed “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

“Nay”: None

Absent: None

Approved by the Honorable Mayor on September 27, 2007, and is known as **Ordinance 07-242**

Bill 9442

An Ordinance Authorizing Contracts with Social Service Agencies for Administering Programs Benefiting St. Charles Citizens Utilizing Community Development Block Grant Funds for the Program Year January 1, 2007 – December 31, 2007 (*Sponsor: Bob Kneemiller*)

Passed “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

“Nay”: None

Absent: None

Approved by the Honorable Mayor on September 28, 2007, and is known as **Ordinance 07-244**

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Bill 9443

An Ordinance Rezoning to City Zoning District C-2 (General Business District) from City Zoning I-2 (Heavy Industrial District), a Parcel of Land Located at 3821 Elm Street
(Sponsor: *Michael Klinghammer*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 26, 2007, and is known as **Ordinance 07-239**

Bill 9444 (Held)

An Ordinance Repealing Section 2 (G) of Ordinance No. 82-7 which Restricted Parking Between the Hours of 9 A.M. to 6 P.M., Excluding Sundays and Holidays, Along Both Sides of Third Street from Adams Street to Clark Street (Sponsors: *Richard Veit and Erv Ermeling*)

Council Bill 9444 was held by Sponsors Richard Veit and Erv Ermeling.

Bill 9445 (Amended)

An Ordinance Repealing Ordinance No. 72-48 and Enacting a New Ordinance Amending Schedule II (C) (1) of Chapter 78 of the Code of Ordinances by Establishing Two Hour Parking Restrictions Along Portions of Clark Street and First Capitol Drive (Sponsors: *Richard Veit and Erv Ermeling*)

A motion was made by RICHARD VEIT to amend Council Bill 9445 to eliminate the two hour parking restriction on Clark Street along the north side from Fourth Street to Fifth Street because this portion of Clark Street is residential. ERV ERMELING seconded the motion. All voted in favor, motion passed.

Bill 9446

An Ordinance Authorizing Acceptance of Development Improvements of Water, Sanitary Sewer and Storm Sewer Utilities in the Spring Mill Residential Development and Release of Security (Sponsor: *Michael Weller*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 26, 2007, and is known as **Ordinance 07-240**

Bill 9447

An Ordinance Authorizing Supplemental Agreement No. 2 to the Contract with Dave Kolb Grading for the Pearl Ridge Storm Sewer Extension Project in an Amount of \$34,800.00, for a Total Amount Not to Exceed \$980,354.00 and Ratifying a Contract with Cole and Associates, Inc., for Survey Work in the Amount of \$3,200 (Sponsor: *Laurie Feldman*)

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A separate vote was taken on Council Bill 9447, with the following results:

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Weller, Beckering, Feldman, and Klinghammer

"Nay": Veit and Ermeling

Absent: None

Approved by the Honorable Mayor on September 26, 2007, and is known as **Ordinance 07-238**

Bill 9448

An Ordinance Amending Sections 134.20, 134.21, 134.22 and 134.23 of the Code of Ordinances to Prohibit the Sale and Use of Certain Types of Fireworks, to Regulate the Sale of Fireworks and to Provide for Fireworks Education (*Sponsors: Dave Beckering, Michael Klinghammer, and Richard Veit*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Returned Unsigned by the Honorable Mayor on September 26, 2007, and is known as **Ordinance 07-237**

Bill 9449

An Ordinance Amending the Preliminary Development Plan for the Existing Planned Development-Residential Zoning District for The Boulders at Katy Trail (*Sponsor: Laurie Feldman*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 26, 2007, and is known as **Ordinance 07-241**

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9450

An Ordinance Approving the Record Plat for Resubdivision of Lot E of Knobbe Subdivision Plat 2, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Bill 9451

An Ordinance Approving the Record Plat for Elm Point Commons, Plat Two, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

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Bill 9452

An Ordinance Approving the Record Plat for Resubdivision Plat of Lot A of NAPA Retail Center, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Larry Muench*)

Bill 9453

An Ordinance Approving the Record Plat for Resubdivision of Units 102 and 104 of Building A of 916-926 Hemsath Road Condominium Phase One, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Bill 9454

An Ordinance Approving the Record Plat for 914 Hemsath Road Condominium Phase Two, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Bill 9455

An Ordinance Approving the Record Plat for Hineman Woods Estates, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Bill 9456

An Ordinance Approving the Record Plat for Condominium Plat of Greendale Manor Phase 2 – Building 2, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Bob Kneemiller*)

Bill 9457

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Installation of Street Lights on Prairie Haute Drive is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land. (*Sponsor: Ron Stivison*)

Bill 9458

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Right Turn Lane Addition at Missouri Highway 94 and Fox Hill Road Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land. (*Sponsor: Richard Veit*)

Bill 9459

An Ordinance Changing the Name of the Street Denoted as *Bangert Drive* to *Glazer Way* (*Sponsor: Michael Klinghammer*)

Bill 9460

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of Ordinances by Establishing Parking Restrictions Along a Portion of Sibley Street. (*Sponsor: Ron Stivison*)

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Bill 9461 (Amended)

An Ordinance Amending Ordinance No. 06-343 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2007 (Budget Amendment #4) (*Sponsor: Bob Kneemiller*)

A motion was made by BOB KNEEMILLER to amend Council Bill 9461 to eliminate funding for the city calendar and adding funding for overtime for special police enforcement efforts; specifically: 1) increase Account 001-1201-10 Salary-Overtime by \$24,800, 2) increase Account 001-1201-22 FICA by \$1,900, 3) increase Account 001-1201-23 LAGERS by \$3,000, and decrease Account 001-0201-55 Production and Printing by \$29,700. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 9462

An Ordinance Authorizing Acceptance of the Development Improvements of Water, Sanitary Sewer, Storm Sewer Utilities, City Streets and Their Appurtenances at Montclair Subdivision for the Section Completed by Fischer & Frichtel and Release of Security. (*Sponsor: Laurie Feldman*)

Bill 9463

An Ordinance Repealing the Parking Restrictions Along Both Sides of North Second Street from Montgomery Street to Tecumseh Street (*Sponsor: Richard Veit*)

Councilmember Erv Ermeling requested that his name be added as a sponsor.

Bill 9464

An Ordinance Repealing the Two Hour Parking Restriction Along Both Sides of Fourth Street from Decatur Street to Clark Street (*Sponsor: Richard Veit*)

Councilmember Erv Ermeling requested that his name be added as a sponsor.

CONSENT AGENDA

Councilmember Dave Beckering removed *Item 8.B.1 Minutes of the Grant Review Committee Meeting of September 4, 2007* from the Consent Agenda. President of the Council Bob Kneemiller removed *Item 8.C.10.a Traffic Commission Meeting of August 21, 2007 (a. Motion to Contact the Post Office About Moving the Mailboxes from the West Side of North Village Drive to the East Side of North Village Drive)* from the Consent Agenda. Councilmember Michael Klinghammer removed *Item 8.D.2 Authorization for the City to Negotiate an Engineering Service Contract with HDR Engineering, INC for Design of a Water Main Replacement on Second Street Between Clark Street and Tecumseh Street* and *Item 8.D.3 Authorization for the City to Negotiate an Engineering Services Contract with HDR for the Design of the Sanitary Sewer Replacement on Houston and Waverly Streets* from the Consent Agenda. A motion was made by LARRY MUENCH to receive and approve the balance of the consent agenda. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Stivison, Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese. "Nay": None. Absent: None. Motion passed.

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- A. Approval of Council Minutes
1. Regular City Council Meeting of August 7, 2007
 2. Regular City Council Meeting of August 21, 2007
 3. Public Hearing of August 21, 2007
- File #46640
- B. Receipt and/or Approval of Council Committee Reports
1. Grant Review Committee Meeting of September 4, 2007
 - a. Motion to Approve the Following Grants
 - i. Create, Inc. (Leftovers) - \$5,000
 - ii. Crider Center for Mental Health - \$2,500.00
 - iii. Healthy Communities - \$1,750.00
 - iv. Lewis & Clark Boat House and Nature Center – \$5,000.00
 - v. Loaves and Fishes - \$1,750.00
 - vi. St. Charles Humane Society - \$2,500.00
 - vii. St. Charles Sister Cities - \$2,750.00
 - viii. Sts. Joachim & Ann Care Center - \$3,000.00
 - ix. Volunteers in Medicine - \$2,000.00
 - x. Youth in Need - \$2,500.00
- REMOVED FROM THE CONSENT AGENDA
2. Technology Committee Meeting of September 4, 2007
- File #46515
- C. Receipt of Reports from Boards, Commissions or Committees
1. Economic Development Meeting of August 2, 2007
- File #46472
2. Wellness Commission Meeting of June 14, 2007
- File #46530
3. Wellness Commission Meeting of July 12, 2007
- File #46530
4. Wellness Commission Meeting of August 9, 2007
- File #46530
5. Early Childhood Care Advisory Commission & Wellness Commission Meeting of April 12, 2007
- File #46583
6. Early Childhood Care Advisory Commission & Wellness Commission Meeting of May 17, 2007
- File #46583
7. Board of Adjustment Meeting of August 13, 2007
- File #46491
8. Veteran's Memorial Committee Meeting of June 4, 2007
- File #46454

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9. Arts & Culture Commission Meeting of August 20, 2007
- a. Approval of \$15,000 for Civil War Reenactment
 - b. Approval of \$2,500 for 2007-2008 Crescendo Concert Series
 - c. Motion that Council Liaison Speak with Mayor York Regarding Additional Funding for Arts & Culture

File #46434

10. Traffic Commission Meeting of August 21, 2007
- a. Motion to Contact the Post Office About Moving the Mailboxes from the West Side of North Village Drive to the East Side of North Village Drive

REMOVED FROM THE CONSENT AGENDA

- b. Motion to Retain a One-Way Stop at the Intersection of Bogey Estates Drive and Double Eagle Drive
- c. Motion to Maintain Existing Signage on Hawks Nest Drive at Forest Gate Drive/Parc Forest Trail
- d. Motion to Repeal the Two Hour Parking Limit on Both Sides of Clark Street Between Third Street and Fourth Street
- e. Motion to Repeal the Two Hour Parking Limit on Both Sides of Third Street from Adams Street to Clark Street
- f. Motion to Retain the Two Hour Parking Limit on Fourth Street Between Clark Street and Decatur Street

File #46464

11. St. Charles Parks & Recreation Work Session of October 4, 2006

File #46177

D. Receipt of Reports of the Director of Administration

- 1. August Investment Report

File #46456

- 2. Authorization for the City to Negotiate an Engineering Service Contract with HDR Engineering, INC for Design of a Water Main Replacement on Second Street Between Clark Street and Tecumseh Street

REMOVED FROM THE CONSENT AGENDA

- 3. Authorization for the City to Negotiate an Engineering Services Contract with HDR for the Design of the Sanitary Sewer Replacement on Houston and Waverly Streets

REMOVED FROM THE CONSENT AGENDA

E. Approval of Contracts and Easements from \$20,001 - \$50,000

- 1. Contract with AAA Magazine Network for advertising in AAA Living Nov/Dec Issue in an amount of 2,336.65

File #46641

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2. Change Order #1 to the Contract with R. E. Pedrotti Co., Inc. for the Replacement of Filter Controls at the Elm Point Water Plant in an Amount not to Exceed \$3,930.00
File #46642
3. Contract with St. Charles Lions Club for Sponsorship of the Oktoberfest 2007 Festival in an amount of \$30,000.00
File #46643
4. Renewal Contract with Asphaltic Maintenance for Asphalt Pavement Repairs for the Water Division in an Amount not to Exceed \$50,000
File #46644
5. Contract with McCurren Investments L.P., a Missouri Limited Partnership for the West Clay & Duchesne Intersection Project in an Amount not to exceed \$41,297.00
File #46645
- F. Preliminary Plats
None
- G. Miscellaneous
1. Report of Court Administrator of Monies Collected and deposited during the Month of August 2007
File #46462

ITEMS REMOVED FROM THE CONSENT AGENDA

Item 8.B.1. Minutes of the Grant Review Committee Meeting of September 4, 2007
Councilmember Dave Beckering voiced concern at using taxpayer funds in this manner; however, he did vote in favor of the distribution of funds recommended by the Grant Review Committee. Councilmember Richard Veit, Chairperson of the Committee, stated that the Committee focused on the public purpose of the grant requests; and encouraged private contributions to these organizations. City Clerk Marilyn McCoy read the list of organizations which were approved for grant funding. A motion was made by JERRY REESE to approve the minutes of the Grant Review Committee Meeting of September 4, 2007. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Reese, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, and Muench. "Nay": None. Absent: None. Motion passed.
File #46629

Item 8.C.10.a Traffic Commission Meeting of August 21, 2007 (a. Motion to Contact the Post Office About Moving the Mailboxes from the West Side of North Village Drive to the East Side of North Village Drive)
President of the Council Bob Kneemiller requested information on whether mailboxes can be relocated. A motion was made by BOB KNEEMILLER to refer Item 8.C.10.a to the Regular

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Council Meeting scheduled for October 2, 2007. JERRY REESE seconded the motion. All voted in favor, motion passed.

Item 8.D.2. Authorization for the City to Negotiate an Engineering Service Contract with HDR Engineering, Inc for Design of a Water Main Replacement on Second Street Between Clark Street and Tecumseh Street

Councilmember Michael Klinghammer requested that Item 8.D.2 be held pending receipt of additional information requested. Discussion was held relative to the trenchless technology used by HDR Engineering; and the use of local engineering companies. President of the Council Bob Kneemiller requested a listing of local companies which could do this type of work. A motion was made by MICHAEL KLINGHAMMER to refer Item 8.D.2 to the Regular Council Meeting scheduled for October 2, 2007. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

Item 8.D.3. Authorization for the City to Negotiate an Engineering Services Contract with HDR for the Design of the Sanitary Sewer Replacement on Houston and Waverly Streets

Councilmember Michael Klinghammer requested that Item 8.D.3 be held pending receipt of additional information requested. Discussion was held relative to the trenchless technology used by HDR Engineering; and the use of local engineering companies. President of the Council Bob Kneemiller requested a listing of local companies which could do this type of work. A motion was made by MICHAEL KLINGHAMMER to refer Item 8.D.3 to the Regular Council Meeting scheduled for October 2, 2007. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

REPORT OF THE MAYOR

Budget Amendment No. 4 (Council Bill 9461)

The Honorable Mayor Patricia M. York outlined the items included in Budget Amendment No.4.

Appointments to Boards and Commissions

A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

Early Childhood Care Advisory Commission: Reappointments of Amber Caito and Toni Burney for three-year terms ending September, 2010.

Wellness Commission: Reappointment of Valerie Lanning for a three-year term ending September, 2010.

MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison. "Nay": None. Absent: None Motion passed.
File #46411

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Report on the Tour of Missouri

Director of Convention & Visitors Bureau David Rosenwasser gave an overview of the success of the Tour of Missouri Bicycle Race held on September 15, 2007.

Report on the Missouri Municipal League Conference

The Honorable Mayor Patricia M. York gave an overview of the sessions attended at the recent Missouri Municipal League Annual Conference held in Kansas City, Missouri, September 9-12, 2007.

Written and/or Verbal Messages from the Mayor

World Wide Day of Play: The Honorable Mayor Patricia M. York read a Proclamation designating September 29, 2007, as "World Wide Day of Play".

Constitution Week: The Honorable Mayor Patricia M. York read a Proclamation designating September 17-23, 2007, as "Constitution Week".

Hot Summer Nights: The Honorable Mayor Patricia M. York announced that Hot Summer Nights will be held on Saturday, September 22, 2007 on North Main Street.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Response to Items Brought Forward Under Report of the Mayor

There were no responses to items brought forward under Report of the Mayor.

Election of an "Employer Delegate" for the Annual Missouri Local Government Employees Retirement System (LAGERS) Meeting Scheduled for October 25-26, 2007, in Springfield, Missouri

President of the Council Bob Kneemiller stated that the City is required to appoint an employer delegate to attend the LAGERS Annual Meeting to be held in Springfield, Missouri, October 25-26, 2007. A motion was made by RICHARD VEIT that Councilmember Michael Klinghammer be designated as the Employer Delegate. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

File #46646

Request from Lewis & Clark Vocational School to Waive Water and Sanitary Sewer Tap Fees

A motion was made by JERRY REESE to approve waiving the water and sanitary sewer tap-on fees for the Lewis & Clark Vocational School for the City of St. Charles for the construction of a single family residential home as part of their Expedition Trails Program. LAURIE FELDMAN seconded the motion. All voted in favor, motion passed.

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Written and/or Verbal Messages from the Councilmembers

Lewis & Clark Marathon: Councilmember Larry Muench stated that the Lewis & Clark Marathon was held on Sunday, September 16, 2007, and ended on Main Street with 5,000 participants.

Music on Main: Councilmember Larry Muench announced that the last Music on Main is scheduled for Wednesday, September 19, 2007, with the Arbogast Band.

St. Charles Night Out: Councilmember Larry Muench announced that St. Charles Night Out is scheduled for Tuesday, September 25, 2007.

Lindenwood University Emergency Preparedness Fair: Councilmember Larry Muench announced that the Lindenwood University Emergency Preparedness Fair is scheduled for Saturday, September 22, 2007.

German Ball: Councilmember Larry Muench announced that the German Ball is scheduled for Friday, September 21, 2007, at Stegton's.

Irish Festival: Councilmember Larry Muench announced that the Irish Festival is scheduled for September 21-23, 2007.

Oktoberfest: Councilmember Larry Muench announced that the Oktoberfest is scheduled for September 28-30, 2007.

Police Department: Councilmember Ron Stivison announced that the Police Department made a record recovery of marijuana from a semi-truck which was traveling through the City.

TABLED BILLS

Case No. CU-22-06 Starbucks (Tri Architects). The applicant proposes to install a 1,650 square foot Coffee Shop with drive-thru facilities on 0.65 acre in the C-3, Highway Business, zoning district. The property is located on the east side of Muegge Road just south of Mexico Road (Cave Springs Crossing Shopping Center). (Ward 6) ***(Tabled at the June 19, 2007, Regular Council Meeting)***
There was no action taken on Case No. CU-22-06.

Bill 9386 (Withdrawn)

An Ordinance Finding and Declaring that the Acquisition of Permanent Sanitary Sewer Utility Easement, Temporary Construction Easement or Other such Easements as are Necessary for Sanitary Sewer Purposes for the Hineman Woods Estates Subdivision Project is Necessary for Municipal Purposes, and Authorizing Purchase, Gift, or the

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 18, 2007

Exercise of Eminent Domain to Acquire Said Easements (*Sponsor: Michael Klinghammer*) (***Tabled at the July 10, 2007, Regular Council Meeting***)
Council Bill 9386 was withdrawn from consideration by Sponsor Michael Klinghammer.
File 46647

Bill 9440

An Ordinance Rezoning to City Zoning District I-1 (Light Industrial District) from City Zoning R-1E (Single-Family Residential District), Property Located at 1427, 1501, 1503, 1517, 1519, and 1525 North Fourth Street (*Sponsor: Richard Veit*) (***Tabled at the September 4, 2007, Regular Council Meeting***)

Councilmember Richard Veit stated that he will announce at a previous meeting his intention to remove Council Bill 9440 from the table.

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to legal actions, causes of action, or litigation (RSMo 610.021.1), leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12) and with the following results: "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit. "Nay": None. Absent: None. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 8:27 p.m.

October 2, 2007

Date Approved

Maif K. McCoy

City Clerk

Bob Kneemiller

Bob Kneemiller, Presiding Officer